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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,687	07/05/2001	William A. Rozzi	10254US01	3475
7590	01/27/2005		EXAMINER	
Steven J. Shumaker Shumaker & Sieffert, P.A. 8425 Seasons Parkway, Suite 105 St. Paul, MN 55125			GRANT II, JEROME	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/899,687

Applicant(s)

ROZZI, WILLIAM A.

Examiner

Jerome Grant II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1-22-05

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

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### Detailed Action

1.

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-38 are rejected under 35 U.S.C. 101 because the claims lack a specific utility. It is not clear from the claim language what the invention is directed toward. Correction is required. The claimed invention lacks patentable utility for the reason that non is cited in the claims.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 15, 18, 19, 25, 28, 30 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Ichiyanagi.

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With respect to claim 1, Ichiyanagi teaches a method of generating a monochromatic halftone bit map of a print (RGB video values stored in ROM 321, see also col. 61, lines 45-56; and applying a bit map filter to the monochromatic halftone bit map to generate a filtered bit map (3 x 2 matrix for performing calculation LSI by unit 322). See also the LSI 322 for converting RGB to CMYK signals so that each of monochromatic images are generated. See also digital filter 326 or 306 that functions as a bit map filter.

With respect to claim 2, Ichiyanagi teaches generating the filtered bit to be used by a halftone printing device to reduce a number of ink dots (suppression of the amount of the black ink, see col. 62, line beginning at line 15.

With respect to claim 3, Ichiyanagi teaches monochromatic halftone bit map is a first monochromatic halftone bit map corresponds to a first colorant, the method further comprising: generating a second monochromatic halftone bit map from a first colorant chosen from among CMY and K, the method further comprising: generating a second monochromatic (another color chosen from the CMYK that is not the first color); and applying the bit map filter to the second monochromatic halftone bit map. (via digital filtering via 326).

With respect to claim 4, Ichiyanagi teaches the colorant of the print is placed on substrate (paper 411) according to the filtered bit map 326.

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With respect to claim 15, Ichiyanagi teaches applying the mask 302 prior to applying the filter 306.

With respect to claim 18, Ichiyanagi teaches a bit map screening process executed by the digital filters 326 and 306.

With respect to claim 19, Ichiyanagi teaches determining the acceptability of the substrate. The substrate, in this case, is the recording paper. Ichiyanagi teaches a paper gate sensor 424 which determines if the paper is successfully positioned in order to record an image.

With respect to claim 25, Ichiyanagi teaches a computer readable medium (ROM 74) for carrying a program code that when executed: storing monochromatic halftone bit map of a print (RGB video values stored in ROM 321, see also col. 61, lines 45-56; processor 322 coupled to the memory that applies a bit map filter to the bit map to generate a filtered bit map (3 x 2 matrix for performing calculation LSI by unit 322). See also the LSI 322 for converting RGB to CMYK signals so that each of monochromatic images are generated. See also digital filter 326 or 306 that functions as a bit map filter.

With respect to claim 28, Ichiyanagi teaches generating a monochromatic halftone bit map of a print (RGB video values stored in ROM 321, see also col. 61, lines 45-56; and applying a bit map filter to the monochromatic halftone bit map to generate a filtered

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bit map (3 x 2 matrix for performing calculation LSI by unit 322). See also the LSI 322 for converting RGB to CMYK signals so that each of monochromatic images are generated. See also digital filter 326 or 306 that functions as a bit map filter.

With respect to claims 30 and 32, see figure 2.

2.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16 , 31 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichiyanagi.

With respect to claim 16, Ichiyanagi teaches all of the subject matter upon which this claim depends except for the map filter is prior to the generation of the bit map. Ichiyanagi teaches a bit map RAM in figure 36J and 36h, and a digital filter 3063. However, it is not clear if the bit map filter precedes the bitmap or not. However, since applicant has not provided a particular advantage as to the order of the claimed functions of the filter and map, it would have been obvious to have the filter before the map as a matter of design choice.

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With respect to claims 31 and 33, Ichiyanagi teaches a printer shown by figure 2, for example, however, it is not clear if the printer is an ink jet printer.

However, to one of ordinary skill in the art, it would have been obvious to substitute an ink jet printer in place of the photographic printer provided by Ichiyanagi. Since applicant has not provided a particular advantage of one type of printer over another, it would have been obvious to interchange printers as a matter of design choice.

### **3. Claims Objected**

Claims 5-14, 17, 26, 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **Claims Containing Allowable Matter**

4. Claims 20-24, 27 and 34-38 contain allowable subject matter. (Note the 101 rejection above).

As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

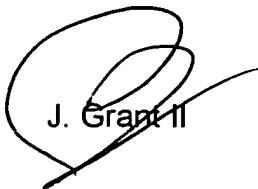
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5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J. Grant II